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CESARI AND MCKENNA, LLP 88 BLACK FALCON AVENUE BOSTON, MA 02210			BULLOCK JR, LEWIS ALEXANDER	
			ART UNIT	PAPER NUMBER
			2127	

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/346,789

**Applicant(s)**

NIEMI, FREDERICK E.

**Examiner**

Lewis A. Bullock, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-51 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-12 and 14-51 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 11 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 32, 43 and 51 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The cited claims are detail an electronmagnetic signal carrying instructions for performing the steps of managing new processes. The cited claims are not tangible and therefore are unstatutory.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 7-9, 11, 14-18, and 20-51 are rejected under 35 U.S.C. 102(e) as being anticipated by WALDO (US 6,185,611).

As to claim 1, WALDO teaches a method for use in a computer network (distributed system) having a process manager (lockup service) and a network management station (client) for reporting to the network management station (client) the addition of new applications or processes (new services wherein a service is an

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application or utility) to the computer network, the method comprising the steps of: providing a configuration service layer (discovery server) in communicating relationship with a new application or process (new service) and the process manager (lookup service); in response to opening the new application or process (new service), issuing a registration service request from the new application or process to the process manager through the configuration service layer (register new service with the lookup service wherein the location of the lookup service is provided by the discovery server); establishing a method at the network management station (client) for persistently and continuously listening for messages (event notifications) from the process manager (lookup service) (via registering for notification); in response to receiving the registration service request (registration of new service) at the process manager (lookup service), generating and forwarding a notification message (notification) that identifies the new application or process (new service) to the network management station (client); and automatically displaying the notification message (via screen of available services) at the network management station (client) without having to close and re-start the management station (clients can avoid attempting to access a service that is no longer available and can make use of new services as soon as they are added to the lookup service) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 8, WALDO teaches a computer workstation (client) for use in a computer network having at least one process manager (lookup service), the

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workstation comprising: at least one application or process (new services wherein a service is an application or utility); a network communication facility (Java runtime environment); a configuration service layer (discovery server) in communicating relationship with the at least one application or process (new service) and the network communications facility (Java runtime environment) (fig. 2), , wherein the at least one application or process (new service) and the configuration service layer (discovery server) cooperate to generate and issue, a registration service request (register new service with the lookup service wherein the location of the lookup service is provided by the discovery server) to the at least one process manager (lookup service) upon opening of the at least one application or process (new service) at the computer workstation (client) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 2, WALDO teaches creating a process manager window (screen) at the network management station (client) that displays a list of applications and processes opened in the computer network (available services); and in response to receiving the notification message (notification that another client added a service), adding the new application or process (new service) to the list of applications and processes displayed in the process manager window (screen) (col. 12, lines 20 – 64; col. 11, line 52 – col. 12, line 19; col. 2, line 50-62).

As to claims 7 and 11, reference is made to a computer readable medium that corresponds to the methods of claims 1 and 2 and is therefore met by the rejection of claims 1 and 2 above.

As to claim 9, WALDO teaches detecting a new device (new service wherein service is a device) added to the network; and upon detecting the new device (new service), generating a second notification object (notification); and passing the second notification object to the network management station (client) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 14, WALDO teaches the user interface application (client / program / browser) is configured to receive the notification message (notification) and display the notification message at the network management station without having to close and re-start the management station (clients can avoid attempting to access a service that is no longer available and can make use of new services as soon as they are added to the lookup service) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18)..

As to claim 15, WALDO teaches a topology server (discovery server / lookup service) configured to detect a new device (new service wherein service is a device) added to the network and upon detecting the new device, to issue a notification object

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(notification) to a user application interface station (client) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 16, WALDO teaches a system for dynamically modifying the configuration, settings and other parameters with one or more applications or processes running in a computer network, the system comprising: means for registering with a process manager (look up service) upon opening an application or process (new services wherein a service is an application or utility); means for generating a notification object (notification) upon the registration of an opened application or process (register new service with the lookup service wherein the location of the lookup service is provided by the discovery server), wherein the notification object contains a reference identifying the opened application or process (i.e. stub or object); means for passing the notification object to one or more user interface applications (client); and means for presenting the notification object (notification) in one user interface application (client) without having to close and re-start the respective user interface application (clients can avoid attempting to access a service that is no longer available and can make use of new services as soon as they are added to the lookup service) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 17, WALDO teaches each user interface application (client / program / browser) contains a window (screen), the system comprising: means for displaying the notification object (notification that another client added a service) in one window contained in a user interface application (client) (col. 12, lines 20 – 64; col. 11, line 52 – col. 12, line 19; col. 2, line 50-62).

As to claim 18, WALDO teaches means for creating a process manager window (screen) that displays a list of applications and processes opened in the computer network (available services); and means for adding an application or process (new service) to the list of applications and processes (available services) displayed in the process manager window in response to receiving the notification object (col. 12, lines 20 – 64; col. 11, line 52 – col. 12, line 19; col. 2, line 50-62).

As to claims 20 and 21, WALDO teaches means for detecting a new device (new service) added to the network (via discovery server / lookup service); and means for issuing a service request (access the device) to a user application interface (client) upon detecting the new device, wherein the service request contains a name identifying the new device (via icons); means for receiving the service request at a user application (client) (via selection of icon); and means for adding the name identifying the new device to a list of devices displayed in a window presented on a display screen of a workstation (via add a service) (col. 12, lines 20 – 64; col. 11, line 52 – col. 12, line 19; col. 2, line 50-62).



As to claim 22, WALDO teaches a method for management of application processes (new services wherein a service is an application or utility) in a computer network, comprising: adding a new application process (new service) to execute on a server computer; transmitting by the new application process (new service), in response to the new application process being added, a registration service request (register new service with the lookup service) to a process manager software (lookup service) executing on a workstation; receiving the registration service request by the workstation; and identifying by management software executing on the workstation (client) that the new application process is executing on the server computer (via screen of available services at the client) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 23, WALDO teaches transmitting the registration service request (registration of new services) over a computer network (distributed network) to the workstation (such that the service is registered and displayed in the screen of available services) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 24, WALDO teaches automatically displaying, in response to receiving the registration service request, an indication that the new application process is executing on the server computer without having to close and re-start the

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management software (clients can avoid attempting to access a service that is no longer available and can make use of new services as soon as they are added to the lookup service) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claims 25-27, reference is made to a system that corresponds to the method of claims 22-24 and is rejected for the same reasoning as disclosed in claims 22-24 above.

As to claims 28, WALDO teaches a system for management of application processes (new services wherein a service is an application or utility) in a computer network, comprising: a server computer (computer having service), the server computer having a new application process added to execute on the server computer (computer having new service); a workstation receiving a registration service request (register new service); a network communication facility to transmit by the server computer (distributed computer), in response to the new application process being added, a registration service request to a process manager software (lookup service) executing on the workstation; and management software executing on the workstation, in response to receiving the registration service request (registering service), the management software identifying that the new application process is executing on the server computer (service is registered and displayed on screen of available services at

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the client) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 29, WALDO teaches the network communication facility transmitting the registration service request (registration of new services) over a computer network (distributed network) to the workstation (such that the service is registered and displayed in the screen of available services) from the server computer (computer having service) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 30, WALDO teaches the workstation automatically displaying, in response to receiving the registration service request, an indication that the new application process is executing on the server computer without having to close and re-start the management software (clients can avoid attempting to access a service that is no longer available and can make use of new services as soon as they are added to the lookup service) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 31, reference is made to a computer readable media that corresponds to the method of claim 22 and is therefore met by the rejection of claim 22 above.

As to claim 32, reference is made to an electro-magnetic signal that corresponds to the method of claim 22 and is therefore met by the rejection of claim 22 above.

As to claims 33-35, refer to claims 28-30 for rejection.

As to claim 36-38, refer to claims 28-30 for rejection.

As to claims 39-41, refer to claims 28-30 for rejection.

As to claim 42, refer to claim 28 for rejection.

As to claim 43, refer to claim 28 for rejection.

As to claims 44 and 45, refer to claims 28 and 29 for rejection.

As to claims 46 and 47, refer to claims 28 and 29 for rejection.

As to claims 48 and 49, refer to claims 28 and 29 for rejection.

As to claims 50, refer to claim 28 for rejection.

As to claim 51, refer to claim 28 for rejection.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over WALDO (US 6,185,611) in view of "Monitoring Distributed Systems" by JOYCE .

As to claim 10, WALDO teaches the detection and notification of devices as well as processes (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18). However, WALDO does not teach the displaying of a location.

JOYCE teaches in response to receiving a notification object (event), displaying a name and a location (vaxc.Calgary / vaxa.Vancouver....) associated with the new object at the network management station (console) (pg. 140, fig.12). Therefore, it would be obvious to combine the teachings of WALDO with the teachings of JOYCE in order to enable a system of processes spanning multiple machines to be observed and controlled from a single workstation (pg. 125, A Distributed Monitoring System).

6. Claims 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over WALDO in view of "Unifying Distributed Processing and Open Hypermedia through a Heterogeneous Communication Model" by GOOSE et al.

As to claim 12, WALDO substantially discloses the invention. However, WALDO does not teach the obtaining and displaying of a status object. GOOSE teaches wherein a process has parameters (state) associated with a status function (launch function), comprising the steps of: in response to selecting the process (select a particular process) from the process manager window (initial display), obtaining a respective status object (top-level interface) from the new process; and displaying the obtained status object (top-level interface) (pg. 10, To provide a consistent and central interface to the processes, the process manager of the HCM was extended to allow each process to be configured and manipulated through it. As the PH of each process executes, a launch message is received by the PM. The initial display on the PM is a list of processes in the system, which is updated dynamically. A user can select a particular process, which instructs the PH of the selected process to display its top-level interface."). It is inherent that since WALDO displays the new process (new service created) along with already executing processes (services previously known) that the combination allows for the display and manipulation of parameters of the new process as well by the client. It is also well known in the art at the time of the invention that buttons on a window or display are used to invoke methods or access data and therefore obvious that a button on the display when invoked would obtain and display the status object. Therefore, it would be obvious to combine the teachings of WALDO

with the teachings of GOOSE in order to allow the user and other processes the ability to call forward the interfaces of both local and remote processes (pg. 10).

As to claim 19, refer to claim 12 for rejection.

7. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over WALDO (US 6,185,611) in view of "Red Hat Linux Unleashed" by HUSAIN.

As to claim 3, WALDO substantially discloses the invention above. However, WALDO does not teach the displaying of a status, start time and location.

HUSAIN teaches displaying a status (stat column), a start time (start time column) and a location (TTY) of the processes (pg. 3 and 4-6, ps command output / useful ps options). It is inherent based on the combination that since the status is sent from the process that other pertinent information of the processes, i.e. its starting time, are also sent. Therefore, it would be obvious to combine the teachings of WALDO with the teachings of HUSAIN in order to display other pertinent information of currently executing processes.

As to claim 4, HUSAIN teaches the status includes one of up (running) (pg. 3, "The STAT column....").

8. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over WALDO in view of HUSAIN as applied to claim 3 above, and further in view of "Unifying

Distributed Processing and Open Hypermedia through a Heterogeneous Communication Model" by GOOSE et al.

As to claim 5, the combination substantially discloses the invention. However, the combination does not teach the obtaining and displaying of a status object. GOOSE teaches wherein a process has parameters (state) associated with a status function (launch function), comprising the steps of: in response to selecting the process (select a particular process) from the process manager window (initial display), obtaining a respective status object (top-level interface) from the new process; and displaying the obtained status object (top-level interface) (pg. 10, To provide a consistent and central interface to the processes, the process manager of the HCM was extended to allow each process to be configured and manipulated through it. As the PH of each process executes, a launch message is received by the PM. The initial display on the PM is a list of processes in the system, which is updated dynamically. A user can select a particular process, which instructs the PH of the selected process to display its top-level interface." ). It is inherent that since WALDO displays the new process (new service created) along with already executing processes (services previously known) that the combination allows for the display and manipulation of parameters of the new process as well by the client. It is also well known in the art at the time of the invention that buttons on a window or display are used to invoke methods or access data and therefore obvious that a button on the display when invoked would obtain and display the status object. Therefore, it would be obvious to combine the teachings of WALDO with the teachings of HUSAIN and GOOSE in order to allow the user and other



processes the ability to call forward the interfaces of both local and remote processes (pg. 10).

As to claim 6, GOOSE teaches the step of modifying (alter) the respective parameters (state) of the process automatically and dynamically in response to manipulations of the status object (top-level interface) displayed (pg. 10, "A user can select a particular process...From here, all data from the user interface is passed directly to the selected PH and the user can alter or interrogate the state of that process.").

9. Claims 8, 15, 22, 23, 25, 26, 28, 29, 31-34, 36, 37, 39, 40 and 42-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Monitoring Distributed Systems" by JOYCE in view of BONNELL (US 5,655,081).

As to claim 8, JOYCE teaches a computer workstation (console) for use in a computer network having at least one process manager (controller), the workstation comprising: at least one application or process (created monitorable process); a configuration service (channel) in communicating relationship with the at least one application or process (created monitorable process), wherein the at least one application or process and the configuration service layer cooperate to generate and issue, a registration service request (event / monitoring information) to the at least one process manager (controller) upon opening of the at least one application or process at the computer workstation (see fig. 5; pg. 130, Consoles, "When a monitorable process

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enters a Jipc system, or is created, it is automatically included in any monitoring session active on its host machine...Monitoring information is collected automatically, and all consoles receive monitoring information in a predefined format from a single controller..."; pg. 129-130, "A system can contain only one controller, its purpose is to serve as a central site through which all events reported to the channels must pass before they are distributed to the consoles."; pg. 128, "A monitorable event occurs whenever a process initiates or completes any of the following operations: entering or leaving a Jipc system..."; pg. 130, Consoles, "Monitoring information is collected automatically, and all consoles receive monitoring information in a predefined format from a single controller..."; pg. 130, "Consoles for displaying individual Jipc events...have been built."; pg. 139-140, An Event Line Console; pg. 140, "A process's event line is blank before it enters the Jipc system or is created and after it leaves the Jipc system or is killed."). However, JOYCE does not teach a network communication facility wherein a registration request is sent through the network communication facility.

BONNELL teaches a network communication facility (communications module of agent computer / communications module of manager software system) (col. 3, lines 10-15; col. 2, line 67 – col. 3, line 2; col. 9, lines 40-60) wherein the configuration service layer (agent software) generates and issues a registration request (information / state of resources and processes) through the network communication facility (col. 7, lines 1-12). Therefore, it would be obvious at the time of the invention to combine the teachings of JOYCE with the teachings of BONNELL in order to facilitate an enterprise

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management system that will increase automation and efficiency in network management and decrease the complexity of such management (col. 6, lines 20-47).

As to claim 15, BOYCE teaches a topology server (agent software system) configured to detect a new device (resource) added to the network and, upon detecting the new device (resource), to issue a notification object (monitoring event) to a user application interface (console) (abstract; col. 7, lines 1-14).

As to claim 22, refer to claim 8 for rejection.

As to claim 23, refer to claim 8 for rejection.

As to claims 25 and 26, reference is made to a system that corresponds to the method of claims 22 and 23 and is rejected for the same reasoning as disclosed in claims 22 and 23 above.

As to claims 28 and 29, refer to claim 8 for rejection.

As to claim 31, reference is made to a computer readable media that corresponds to the method of claim 22 and is therefore met by the rejection of claim 22 above.

As to claim 32, reference is made to an electro-magnetic signal that corresponds to the method of claim 22 and is therefore met by the rejection of claim 22 above.

As to claims 33 and 34, refer to claims 28 and 29 for rejection.

As to claims 36 and 37, refer to claims 28 and 29 for rejection.

As to claims 39 and 40, refer to claims 28 and 29 for rejection.

As to claim 42, refer to claim 28 for rejection.

As to claim 43, refer to claim 28 for rejection.

As to claims 44 and 45, refer to claims 28 and 29 for rejection.

As to claims 46 and 47, refer to claims 28 and 29 for rejection.

As to claims 48 and 49, refer to claims 28 and 29 for rejection.

As to claims 50, refer to claim 28 for rejection.

As to claim 51, refer to claim 28 for rejection.

***Pertinent Prior Art Cited, but not Relied Upon***

U.S. Patent 6,769,125 (Menges et al) teaches managing computer processes by a daemon process wherein the server process register themselves with the daemon process.

U.S. Patent 6,289,368 teaches dynamically displaying and updating the display in real-time the status of computer processes executing on remote application servers.

U.S. Patent 5,764,913 teaches dynamically displaying and updating the display of the status of remote nodes wherein the remote nodes have a status reporting object to send the status information to a status collecting object in the monitoring station.

***Response to Amendment***

2. The affidavit filed on 10/5/04 under 37 CFR 1.131 has been considered but is ineffective to overcome the U.S. Patent 6,185,611 herein Waldo reference.

3. The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Waldo reference to either a constructive reduction to practice or an actual reduction to practice. Applicant states that the authored document establishes reduction to practice of the invention up to the filing of this application, however, there is no showing within the document or any other evidence that the invention was reduced to practice from the alleged date of conception. Therefore, the rejections based on Waldo are maintained.

Applicant argued that the combination of Joyce in view of Bonnell does not teach wherein the at least one application or process and the configuration service layer cooperative to generate and issue a registration service request to the at least one process manager upon opening of the at least one application or process at the computer workstation. Applicant claims an application process which upon opening of the at least one application process, the application process registers with the process manager wherein the process manager forwards notice of the registration to the user interface. Applicant states that both Joyce and Bonnell are silent concerning a process with contacts the process manager. Applicant also states that Bonnell teaches channel software which monitors processes, and does not teach the process itself contacting the management software; and Joyce teaches agents which monitor processes, the process of Joyce do not contact the management software. The examiner disagree. Joyce teaches monitorable process that are monitored by channel processes. The monitorable process generate monitorable events which are defined as any Jipc process operation that may have an effect outside of that process. A monitorable event occurs whenever a process initiates or completes any of the following operations: entering or leaving a Jipc system, creating or killing a process, etc. (pg. 128). Joyce states that when an event is detected in a monitorable process, information concerning this event is sent to the channel process that is executing on the same machine (pg. 129, 2<sup>nd</sup> paragraph; pg. 129, 6<sup>th</sup> paragraph, "When an event is about to occur in a monitorable process, monitoring information is conveyed to the channel."). Joyce then states that when a controller exists, all channels forward their monitoring messages to

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the controller, which sends the information to consoles (pg. 129, 6<sup>th</sup> paragraph – pg. 130, 2<sup>nd</sup> paragraph). Consoles collect, interpret, and display event information and serve as the interface between users and the monitoring system. In responding to Applicant's argument that the process does not send anything to the process manager, the reference teaches that the process sends an event to the channel, controller, and eventually the console. Therefore, the process does send data to the process manager. In addition, since this information is an operation that indicates that a process has initiated or created another process, the information is registration information. Joyce also teaches the monitoring system is a distributed monitoring system. However, Joyce does not teach that the monitoring system is over a network. Bonnell teaches that monitoring systems are executing over a network protocol. Therefore, the combination teaches the limitations as disclosed.

### ***Conclusion***

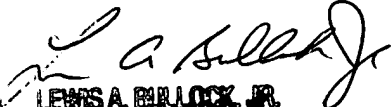
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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February 7, 2005

  
LEWIS A. BULLOCK, JR.  
PRIMARY EXAMINER